

Chairman Lowell Johnson called the regularly scheduled meeting to order at 10:01 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Vap present, and Commissioner Landis excused.

GENERAL ADMINISTRATION

Notice was duly published August 1, 2006 on Page 8 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held August 8, 2006 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

COMMUNICATIONS DEPARTMENT

Pam Karstensen informed the Commission of the complaints received in the preceding month.

AD-352r In the Matter of Credit Management Control, Inc., Racine, Wisconsin, seeking authority to register and connect an automatic dialing-announcing device: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

AD-353 In the Matter of ADT Security Services, Inc., Boca Raton, Florida, seeking authority to connect an automatic dialing-announcing device: Motion made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3567/
PI-113 In the Matter of the Commission, on its own motion, seeking to investigate consumer billing issues in the telecommunications industry in Nebraska. Commissioner Frank Landis presiding as Hearing Officer: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order dismissing the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3581 In the Matter of HunTel Cable Vision, Inc., d/b/a HunTel
NUSF-55 Communications, Blair, seeking designation as an Eligible Telecommunications Carrier (ETC) in its designated service area in the state of Nebraska: A hearing was scheduled for August 29, 2006, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Jerry Vap was appointed as Hearing Officer.

COMMUNICATIONS DEPARTMENT (Cont.)

C-3583/ NUSF-56 In the Matter of Three River Communications, LLC, Lynch, seeking designation as an Eligible Telecommunications Carrier (ETC) in the state of Nebraska: A hearing was scheduled for August 29, 2006, at 1:30 p.m. in the Commission Hearing Room, Lincoln. Commissioner Jerry Vap was appointed as Hearing Officer.

C-3587 In the Matter of Scott and Laci Dinkler, Bladen, currently residing, but not receiving service, in the Red Cloud exchange of the Great Plains Telephone Company, Blair, seeking authority to receive telephone service from the Bladen exchange of the Glenwood Telephone Company, Blue Hill: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order to dismiss the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3626 In the Matter of LMDS Holdings, Inc., Reston, Virginia, seeking a name change to Nextlink Wireless, Inc.: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3627 In the Matter of Andiamo Telecom, LLC, Scottsdale, Arizona, seeking authority to operate as an interexchange carrier of telecommunications services in the state of Nebraska: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

C-3628 In the Matter of NOS Communications, Inc., NOSVA Limited Partnership, Las Vegas, Nevada, and Affinity Network Inc., Los Angeles, California, seeking approval for transfer of control: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order granting the application. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order approving applications C-3613 through C-3637. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting:

COMMUNICATIONS DEPARTMENT (Cont.)

C-3613 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") amendment to an interconnection agreement with DSLnet Communications, LLC, Wallingford, Connecticut previously approved in C-2706.

C-3619 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with VCI Company, d/b/a Vilaine Communications, Inc., Lakewood, Washington, previously approved in C-3273.

C-3621 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with DIECA Communications, Inc., d/b/a Covad Communications Company, San Jose, California, previously approved in C-3351.

C-3623 In the Matter of Qwest Corporation, Denver, Colorado, seeking a cage less physical collocation amendment to an interconnection agreement with Cox Nebraska Telcom, LLC, Omaha, previously approved in C-1473.

C-3625 In the Matter of Qwest Corporation, Denver, Colorado, seeking an out of hours project coordinated installations amendment to an interconnection agreement with XO Communications Services, Inc., f/k/a XO Network Services, Inc., Salt Lake City, Utah, previously approved in C-3090.

C-3629 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with IDT America, Corp., Newark, New Jersey, previously approved in C-3084.

C-3630 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with Houlton Enterprises, Inc., d/b/a Guaranteed Phone Service, Council Bluffs, Iowa, previously approved in C-2917.

C-3631 In the Matter of Qwest Corporation, Denver, Colorado, seeking an Omaha Forbearance Order ("OFO") amendment to an interconnection agreement with Intrado, Inc., Longmont, Colorado, previously approved in C-2747.

C-3632 In the Matter of Qwest Corporation, Denver, Colorado, seeking a Triennial Review Order and Triennial Review Remand Order ("TRO/TRRO") Amendment to an interconnection agreement with Intrado Communications, Inc., Longmont, Colorado, previously approved in C-2747.

COMMUNICATIONS DEPARTMENTS (Cont.)

C-3633 In the Matter of Qwest Corporation, Denver, Colorado,
 seeking a wireline interconnection agreement with Ymax
Communications Corp., a/k/a Palm Beach Telephone Company, Palm Beach,
Florida.

C-3634 In the Matter of Qwest Corporation, Denver, Colorado,
 seeking an Omaha Forbearance Order ("OFO") amendment to an
interconnection agreement with Granite Telecommunications, LLC,
Quincy, Massachusetts, previously approved in C-3054.

C-3635 In the Matter of Qwest Corporation, Denver, Colorado,
 seeking a wireline survival interconnection agreement with
DIECA Communications, Inc., d/b/a Covad Communications Company, San
Jose, California, previously approved in C-3351.

C-3637 In the Matter of Qwest Corporation, Denver, Colorado,
 seeking an Omaha Forbearance Order ("OFO") amendment to an
interconnection agreement with Mobius Communications, Company, Heming-
ford, previously approved in C-2637.

E-2120 In the Matter of Nebraska Public Power District, Columbus,
 seeking authority to construct, operate and maintain elec-
tric transmission lines in Stanton and Cuming Counties: Motion made
by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap, to
enter an order granting the application. Motion passed with Commis-
sioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting
AYE, and Commissioner Frank Landis excused not voting.

E-2121 In the Matter of Nebraska Public Power District, Columbus,
 seeking authority to construct, operate and maintain elec-
tric transmission lines in Stanton, Wayne and Cedar Counties: Motion
made by Commissioner Rod Johnson, seconded by Commissioner Jerry Vap,
to enter an order granting the application. Motion passed with
Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap
voting AYE, and Commissioner Frank Landis excused not voting.

 Gene Hand informed the Commission of the Formal Complaints
filed by the American Civil Liberties Union (ACLU) against AT&T &
Verizon alleging disclosure of customers' private phone records
without customers' knowledge or consent.

DC-71/
NUSF-53 In the Matter of Maurice Gene Hand, Director, Communica-
 tions Department and Jeffrey L. Pursley, Director, Nebraska
 Universal Service Fund Department, Complainants v. Qwest
Corporation, Respondent: Angela Melton announced that a hearing
officer order entered August 7, 2006, extended the briefing deadline
to August 28, 2006.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-011/ In the Matter of the Commission, on its own motion, seeking
PI-79 to establish Phase II enhanced wireless 911 service imple-
mentation: Motion made by Commissioner Jerry Vap, seconded
by Commissioner Rod Johnson, to enter an order amending approved
funding for GIS repository. Motion passed with Commissioners Anne
Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and
Commissioner Frank Landis excused not voting.

911-020/ In the Matter of Jeffrey L. Pursley, Director, Nebraska
DC-73 Telecommunications Infrastructure and Public Safety
Department, Complainant, vs. Budget Phone, Inc., d/b/a
Budget PrePay; BullsEye Telecom, Inc.; Excel; Ionex Communications
North, Inc. a/k/a Birch Telecom, Inc.; MCImetro Access Transmission
Services, LLC; NOS Communications, Inc.; Orbit.com; and Vartec,
Respondent(s): Motion made by Commissioner Anne Boyle, seconded by
Commissioner Jerry Vap, to enter an order dismissing Ionex Communica-
tions North, Inc., a/k/a Birch Telecom, Inc., NOS Communications, Inc.
and Orbit.com from this proceeding and removing these companies from
the hearing scheduled for August 15, 2006. Motion passed with Com-
missioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap
voting AYE, and Commissioner Frank Landis excused not voting.
Commissioner Vap was appointed as Hearing Officer.

Jeff Pursley discussed the Hearing Officer's Order of
August 7, 2006, continuing in part the August 15, 2006 hearing for
MCImetro Access Transmission Services, LLC, to September 19, 2006 at
1:30 p.m. in the Commission Hearing Room, Lincoln.

911-021/ In the Matter of the Commission, on its own motion, seeking
PI-120 to investigate issues related to intertandem trunking
across the State of Nebraska for use in the provision of
wireless enhanced 911 service: Motion made by Commissioner Anne
Boyle, seconded by Commissioner Rod Johnson, to enter an order amend-
ing the previous order. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner
Frank Landis excused not voting.

911-023 In the Matter of the Commission, on its own motion, seeking
to process public safety answering point requests for fund-
ing for Enhanced Wireless 911 implementation: Motion made by Commis-
sioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an
order opening the docket and incorporating prior dockets. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and
Jerry Vap voting AYE, and Commissioner Frank Landis excused not
voting.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

911-023.16 In the Matter of Dakota County/South Sioux City Public Safety Answering Point, South Sioux City, seeking funding approval for recurring and non-recurring costs of Enhanced Wireless 911 implementation: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order approving the funding request. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

911-024 In the Matter of the Commission, on its own motion, seeking to develop policies and process requests for access to GIS data and the GIS Repository: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to enter an order opening the docket. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NUSF-37.81 In the Matter of Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainant, v. Startec Global Licensing Company, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NUSF-53/ In the Matter of Maurice Gene Hand, Director, Communica-
DC-71 tions Department and Jeffrey L. Pursley, Director, Nebraska Universal Service Fund Department, Complainants, v. Qwest Corporation, Respondent: The Hearing Officer's Order entered August 7, 2006, extending the date briefs are due from August 14, 2006 to August 28, 2006, was discussed on the Communications Department's agenda.

NUSF-55/ In the Matter of HunTel CableVision, Inc., d/b/a HunTel
C-3581 Communications, seeking designation as an eligible telecommunications carrier (ETC) that may receive federal and state universal service support: On the Communications Department's agenda, Commissioner Vap was appointed as Hearing Officer and a hearing was scheduled for August 29, 2006 at 1:30 p.m. in the Commission Hearing Room, Lincoln.

NUSF-56/ In the Matter of Three River Communications, Lynch, seeking
C-3583 designation as an eligible telecommunications carrier (ETC) that may receive federal and state universal service support: On the Communications Department's agenda, Commissioner Vap was appointed as Hearing Officer and a hearing was scheduled for August 29, 2006 at 1:30 p.m. in the Commissioner Hearing Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Jeff Pursley reported on the Universal Service Fund's Late-Filed Carrier Remittances: Motion made by Commissioner Anne Boyle, seconded by Commissioner Rod Johnson, to levy late-fees against Southern Kansas Telephone, McLeod USA Telecommunications and Business Productivity Solutions and that the current complaint NUSF-37.93 against Telrite Corporation be amended to include the late-filed June, 2006 Remittance Worksheet. Complaints will be opened against TON Services, Inc., McGraw Communications, Reduced Rate Long Distance and, LDMI Telecommunications, d/b/a LDMI Long Distance of Michigan. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

Angela Melton updated the Commission regarding the activities of the Enhanced Wireless 911 Advisory Board during its meeting on August 7, 2006:

- The Board expressed concern regarding the fact that GIS Workshop has not completed the building of data in several counties.
- The Board voted to recommend that the Enhanced Wireless 911 surcharge remain at \$.50 based on the information made available to the board at this time and further voted to establish a subcommittee to work with Commission staff on developing further information to assist in setting the surcharge in the future.
- The Board disagreed with previous orders allocating PSAP funding requests for equipment based upon call volume reports and expressed concern regarding the accuracy of the call volume reports. Sheriff Neil Miller intends to come to the Commission's next meeting to discuss.
- The Board voted to approve funding for Perkins and Chase Counties based on the Advisory Board's previous recommendation of a 60/40 split between wireless and landline.
- The next Advisory Board meeting was scheduled for Friday, September 15, 2006 at 10:30 in Kearney. The Board expressed an interest in having more direct contact with Commissioners generally and asked that Commissioners be invited to attend future Board meetings.

NATURAL GAS DEPARTMENT

NG-0036 In the Matter of Kinder Morgan, Inc., Lakewood, Colorado, seeking approval of a general rate increase. Commissioner Vap presiding as Hearing Officer: Motion was made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter Assessment Order HSD-001. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

NATURAL GAS DEPARTMENT (Cont.)

NG-0037 In the Matter of NorthWestern Corporation, d/b/a North-Western Energy, Sioux Falls, South Dakota; Babcock & Brown Infrastructure Limited, BBI US Holdings Pty Ltd., Sydney NSW 2000, Australia; BBI US Holdings II Corp., and BBI Glacier Corp., San Francisco, California, seeking approval of the proposed change in control of NorthWestern Corporation. Commissioner Vap presiding as Hearing Officer: Motion was made by Commissioner Rod Johnson, seconded by Commissioner Anne Boyle, to enter Assessment Order HSD-001. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Laura Demman provided the monthly summary report on natural gas consumer inquiries and complaints.

LEGISLATIVE REPORT

Andy Pollock requested ideas for legislation for the 2007 session.

TRANSPORTATION DEPARTMENT

B-1628 In the Matter of OMALINK, Inc., Lincoln, seeking authority
Supp. 1 to extend its authority as follows: Supplement 1: Trans-
& Supp. 2 portation of passengers and their baggage in limousine
service between points in Lancaster County, on the one hand
and, on the other hand, points in Nebraska over irregular routes.
RESTRICTIONS: The transportation of railroad train crews and their
baggage is not authorized. Supplement 2: Transportation of passengers
and their baggage in open class service between points in open class
service between points in Lancaster County, and between points in
Lancaster County, on the one hand, and, on the other hand, points in
Douglas County. RESTRICTIONS: The transportation of railroad train
crews and their baggage is not authorized: Motion made by Commis-
sioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter an
order granting in part and denying in part the application. Motion
passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and
Jerry Vap voting AYE and Commissioner Frank Landis excused not voting.

B-1663 In the Matter of Stella Counseling Service, Lincoln, seek-
ing authority as a contract carrier in Nebraska intrastate
commerce in the transportation of passengers and their baggage in
contract open class service from Stella Counseling Services, P.C.
between points within limits of the city of Lincoln: Motion made by
Commissioner Anne Boyle, seconded by Commissioner Jerry Vap, to enter
an Order Nunc Pro Tunc. Motion passed with Commissioners Anne Boyle,
Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner
Frank Landis excused not voting.

TRANSPORTATION DEPARTMENT (Cont.)

LR-270 In the Matter of VIP Limousine, Omaha, seeking authority to adjust its rates and charges: Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to enter an order denying the application on an emergency basis. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Household Goods Tariff 7-F: The fuel surcharge was increased to 88 cents per mile.

GRAIN WAREHOUSE DEPARTMENT

John Fecht discussed the Emergency Storage Plan for the 2006 fall harvest with slight modifications. The modifications include extending the pick up date to February 28, 2007 and keeping the emergency storage application fee at \$40.00: Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Emergency Storage Plan for the 2006 fall harvest with modifications. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

GW-2113 In the Matter of Aurora Cooperative Elevator Company, Aurora: John Fecht discussed the shortages of white corn and milo. The milo shortage was adjusted from the company owned position and the white corn was corrected by signing contracts with the owners of the white corn.

GENERAL ADMINISTRATION

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve the following Commission invoices. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

DAS Communications	\$	3,205.88
DAS Materiel-Office Supplies		770.57
DAS TSB		646.99
Maurice Gene Hand		1,690.35
Jeffery Pursley		1,344.17
Anne Boyle		763.62
Lowell Johnson		941.43
Rod Johnson		68.53
Rod Johnson		788.95
Frank Landis		1,091.51
Jerry Vap		886.44

GENERAL ADMINISTRATION (Cont.)

NEBRASKA EQUIPMENT DISTRIBUTION PROGRAM:

ADCO Hearing Products	\$ 107.75
Associated Hearing Health Care	1,822.70
B Hear	4,741.83
Beltone	5,673.15
Dynavox Systems	940.12
Grand Island Hearing Aid Center	681.92
Hamilton Telecommunications	159.95
Hearing Clinic Inc	385.00
Hearing Aid Specialists	194.95
Carl Johnson Jr.	5,300.80
K-D Communications	14,357.75
League of Human Dignity	966.45
McCook Pharmacy & Medical Supply	219.90
Sherard Hearing Aid Center	1,784.10
Sound Clarity, Inc	297.20
Teltex	812.10
Weitbrecht Communications	5,814.90

Motion made by Commissioner Jerry Vap, seconded by Commissioner Rod Johnson, to approve Commission minutes for the month of July 2006. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

Upon agreement of all Commissioners present, authorization was granted for Bob Bowman to travel to Clay Center, Kansas on August 1, 2006, to conduct a modular housing unit factory inspection at Wardcraft Homes, with all expenses, including time, to be reimbursed by Wardcraft Homes.

Upon agreement of all Commissioners present, authorization was granted for Commissioner Rod Johnson to attend the Mid-America Cable Show to be held in Overland Park, Kansas, from September 5-7, 2006.

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the proposal to request additional space for the Commission in the current elevator lobby and in space formerly occupied by the department of Banking. Motion passed with Commissioners Anne Boyle, Lowell Johnson, Rod Johnson and Jerry Vap voting AYE, and Commissioner Frank Landis excused not voting.

The meeting adjourned at 11:39 a.m. with Commissioners Boyle, Lowell Johnson, Rod Johnson and Vap present, and Commissioner Landis excused. The next regularly scheduled meeting will be held on August 15, 2006, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on August 14, 2006.

Chairman

Executive Director